Court of Appeals Upholds Right of Atlor-ney-General to Compel Officers to Appear Before Referee—Ice Co. May Appeal to U. S. Supreme Court.

ALBANY, Oct. 1.-The Court of Appeals handed down a decision to-day in the American Ice Trust case, sustaining the constitutionality of the Donnelly Anti-Trust law and upholding the order granted by Justice Chase upon the application of At-torney-General Davies, appointing Referee Nussbaum to examine the Ice Trust officers.

The Court's decision reads:
"Order of Appellate Division reversed that of Special Term affirmed and questions certified answered as indicated in the

This was an appeal from a decision of the Appellate Division, Third Department, by a vote of 3 to 2, reversing a decision of reme Court Justice Chester refusing to vacate an order granted by Justice Chase in Brooklyn in May, 1890, wherein Myer Nusshaum was appointed a referee to examine witness for the purpose of ecuring evidence against the American fee Company upon which the Attorney-General could base the institution of ar action to annul the charter of the company under the provisions of the Donnelly Anti-Trust law, passed by the State Legislature

In allowing an appeal from its decision e Appellate Division certified the follow-g five questions to the Court of Appeals

Ing five questions to the Court of Appeals for review:

First—Is the duty of appointing a referee imposed by the Donnelly law upon a Supreme Court Justice a non-judicial duty, and if so, is not the law unconstitutional?

Second—In granting the order appointing Referee Nussbaum, did Justice Chase perform a judicial function?

Third—Has the Legislature constitutional power to confer upon a referee appointed in pursuance of the Donnelly law the authority to take testimony and punish for contempt in the manner and to the extent therein provided?

Fourth—Do the facts set forth in the Attorney General's petition, upon which Referee Nussbaum's appointment was based, show that any action authorized by the Donnelly law could be maintained?

Fifth—Does the Donnelly law require President Morse, under the order of Justice Chase appointing Referee Nussbaum, to give evidence of matters which might subject him to penalties of criminal prosecution under the Federal Anti-Trust 'law in violation of his rights under the State or Federal Constitution?

In its opinion the Court answers the first reports.

riolation of his rights under the State or Federal Constitution?

In its opinion the Court answers the first question certified in the negative and the second in the affirmative.

The Court does not answer the third question for the reason that the Court below had no power to certify the question to the Court of Appeals because the referee had not attempted to exercise the power to gunish for contempt and might never be called upon to exercise it. The Court says, however, that the power existed to authorize the appointment of a referee and answers the first part of the third question in the affirmative.

As to the fourth and fifth questions, the Court says they are as yet abstract, and it has no power to answer them.

has no power to answer them. The decision says in part:

The decision says in part:

The utilimate question is whether it is due process of law for the State, through its judicial department, to examine a witness in order to see whether his testimony is material and necessary in a judicial proceeding about to be instituted. Through its legislative department the State can examine witnesses with reference to prospective legislation, and why can it not, through its judicial department, under an appropriate statute, examine witnesses in order to establish in court rights belonging to all its citizens, even if the testimony is not to be read in court, but is to be used for a purpose incidental to the trial? A witness, when subpensed in a private lawsuit, is compelled to leave his home, his usual avocation, and at his peril to appear at the time and piace named for the purpose of giving testimony. He may even be required to produce his books and disclose the secrets of his business. He has no discretion about it. The law imposes this obligation upon him in order that justice may be done. It is a sacrifice that he must make for the benefit of the whole community, the same as he must give up part of his property through the payment of taxes for the law purpose.

"The application cannot be made by a

The application authorized by the statute under consideration cannot be made by a private consideration cannot be made by a private citizen, or by a party to a personal controversy, but only by the Attorney-General, in behalf of the State, representing all citizens, as a party to an action to be present on the property of the State, acting upon the responsibility of his office, and the testimony must be material and necessary, so that there is reasonable protection against danger of abuse. No general inquiry into private affairs is allowed, nor general production of books and papers is required the state of the control of the state of the provided and the provided and the provided and the provided and the state of the state

It was reported in Wall Street vesterday that the probable result of the adverse decision of the Court of Appeals will be the formation of a new company to take over the property of the American Ice

CLEARING HOUSE BLECTION.

At the annual meeting of the Clearing House Association yesterday George F. Baker, President of the First National Bank, Haker, President of the First National Bank, was reflected President; Henry P. Davison, President of the Liberty National Bank, Secretary; William Sherer, manager, and William J. Gilpin, assistant manager. Wil-liam A. Nash, President of the Corn Exchange Bank, was elected chairman of the Clearing House Committee—the most important of the association's committees—succeeding Frederick D. Tappen. By this election Mr Nash has been made for the tenth time a member of the Clearing House Committee a member of the famous Loan Committee a member of the famous Loan Committee of 1883 and served as President of the association during 1895 and 1896. Mr. Nash might be termed the founder of branch banking in this country, as the Corn Exchange Bank, of which he has been President for the last eighteen years, was the first institution to establish branches. It has at the present time eight branches in various parts of the city.

The retiring members of the city.
The retiring members of the Clearing House Committee, besides Mr. Tappen, were Henry W. Cannon and J. Edward Simmons, and the new members elected yeaterday were James T. Woodward, Stephen Baker and Charles H. Fancher, who with Messrs. Nash and George G. Williams now constitute the committee.

phen Baker and Charles H. Fancher, who with Messrs. Nash and George G. Williams now constitute the committee.

William H. Kimball, President of the failed Seventh National Bank, was retired as chairman of the Committee on Admissions. The association voted formally to approve the action of the Clearing House Committee in suspending the Seventh National Bank on June 27 last, but failed to vote upon the question of dropping that bank from the rolls of the association, thus leaving the matter of its reinstatement upon reorganization in abeyance.

The report of Manager Sherer for the year ending Sept. 30 showed record transactions. The exchanges amounted to \$77,020,672,493.65 and the balances to \$3,515,007,741.05, making the aggregate of \$90,535,710,234.70. The largest daily transactions on record were on May 10—the day after the Northern Pacific corner and panic—when the exchanges were \$598,537,400.64, and the balances \$23,573,115.92.

STEEL EARNS \$55,000,000 NET In Stx Months -Public Statement -Strike

Month the Best. What may almost be termed a new de parture in the methods of industrial corporation management and a departure that was commented upon very favorably in Wall Street, was the action of the directors of the United States Steel Corporation yesterday in giving to the public a financial statement showing in detail the operations of the company for the first six months of its history. The statement was made public after the meeting of the directors at which the regular quarterly dividends of 1% per cent. on the preferred stock and of 1 per cent. on the common stock were declared. The meeting ended after businose on the New York Stock Exchange had ceased. The following is the Steel Corporation's statement:

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CLARED OCT. 1:

dent, and of E. Shearson, Comptroller, were appended. One of the features that excited comment was that the net earnings for August, which was the month of the steel strike, were the largest monthly net earnings. The dividend on the Steel Corporation's preferred stock is payable on Nov. 6, and the transfer books close on Oct. 15. The common stock dividend is payable on Dec. 20, the books closing on Nov. 19. It is the intention in the future to pay each common stock dividend about midway in time between preferred stock dividends.

\$10,000,000 MORTGAGE.

Given by New Jersey Zine Company to Farmers' Loan and Trust Company. A first mortgage for \$10,000,000 was re-

corded yesterday in the office of the County Register at Newark. It was given by the New Jersey Zinc Company to the Farmers' Loan and Trust Company of this city, in trust, to secure gold bonds issued at 4 per cent. for twenty-five years. The mortgage was given in accordance with the esolution of a majority of the stockholder passed Sept. 18, and it covers "all the real estate, mines, minerals, mining rights, buildings, machinery, fixtures, franchises, and good will now owned or hereafter to be acquired, and all the capital stock now possessed by this company in the New Jersey Zinc Company, of Pennsylvania, the Mineral Point Zinc Company and the Empire Zinc Company, and all the capital stock of any other corporation or corporations which may hereafter be purchased by this company. passed Sept. 18, and it covers "all the real

which may hereafter be purchased by this company.

The mortgage was signed on the part of the zinc company by \$5.8. Palmer and A. P. Cobb, President and Secretary, respectively, and by E. S. Marston and Samuel Sloan, President and Secretary of the trust company. One of the conditions is that the new mortgage shall cover and satisfy a first mortgage of \$1,700,000 given to the same trust company in February, 1807. That mortgage was consequently cancelled at the County Register's office yesterday. The remainder of the money, it is said, will be used to retire present outstanding bonds of the zinc company and to pay for new property and erect new works

SHARP CUT IN SUGAR. Refineries Have Large Accumulated Stocks

The American Sugar Refining Company innounced at 3:30 o'clock yesterday afternoon a cut of 15 points in all grades of sugars, which brings the price of fine granslated down to 5.10 cents a pound. This a 35 to 45 points under the high prices

reached last May. The cut was imme-diately followed by the National Sugar diately followed by the National Sugar Refining Company, and it is expected that the Arbuckles also will cut the price. Competition has been very keen. The supplies that the refiners have on hand are very large, while the wholesale grocers, who have been anticipating a cut, have been carying light supplies. It is said that the refiners accumulated a very large amount of raw sugar upon a failing market and misjudged the fruit season, which has been poor.

been poor.

The shares of the American Sugar Re-fining Company were decidedly weak in yesterday's stock market, selling as low as 117% for the common stock, with the closing at 117%, or 2% points under Mon-day's decime with the closing at 107%. day's closing price

Pennsylvania to Parallel the Reading! READING, Pa., Oct. 1.-Rumor prevails

BUILDERS WOSTLY DISHONESTS FOUR OUT OF FIVE ARE, SAYS

COMMISSIONER WALLACE. Aldermen Vete to Let Him Have Owners Builders and Architects Arrested When They Violate the Building Code

Council, by a Tie Vote, Falls to Concur Commissioner Wallace of the Building Department declared yesterday before the Board of Aldermen that for every honest builder in this city there are four who are dishonest and ready to evade and violate the law whenever they get a chance. He said this in the course of a speech urging the Aldermen to amend section 150 of Building Code so that violations of the code may be misdemeanors punishable by

Alderman Wafer asked that the matter

be laid over for a public hearing.

"You couldn't get a fair public hearing, said Commissioner Wallace, *because there are so many dishonest builders. They outnumber the honest men in the business in this city four to one. I have proof of that right in my office where there is a record of 25,000 violations of the law last year. We can put violation after violation on a builder and he laughs at us and goes on evading the law. We can recover the amount of the penalty, \$250, only by civil action. In the majority of cases the builder can beat us and avoid payment. But even if he is forced to pay he gladly surrenders \$250 for the privilege of saving \$2,000 or more by dishonesty in his work. What my department requires is the power to stop this sort of thing by arresting the offenders. The resolution to amend the Code, as originally presented, included carpenters, masons and plumbers as well as owners, architects and builders in the enumeration of persons who might be arrested for violating the law. The resolution was amended upon motion of Akierman McCall, by leaving out the carpenters, masons and plumbers, and was then passed as amended by a vote of 34 to 5. The Council by a tie vote—10 to 10—failed to concur. The matter was made a special order for the next meeting. number the honest men in the business -10 to 10-failed to concur. The matter was made a special order for the next

SCRANTON'S CAR STRIKE ON. Company Refused to Reinstate Men Discharged for Dishonesty.

SCRANTON, Pa., Oct. 1.-What is regarded as the most unreasonable street car strike ever declared here went into effect at 5 o'clock this morning. Last Christmas a strike was declared upon the same lines. The public thought that the men had a real grievance, refused to ride on the cars and forced the company to submit. Public opinion seems to be opposed to the striking employees this time.

All of the trouble grew out of the dis-

charge of two conductors who were dismissed because the company "spotters" reported them as being guilty of "knocking down." The union backed up the claims of the men that they were innocent and demanded that General Manager Silliman produce his proof. This Mr. Silliman refused to do, but he did offer to submit the evidence to three arbitrators sworn to secrecy, their decision to be final. The men agreed to accept this, provided that the men were reinstated and be allowed to work pending a decision. The company would not accept that, saying that it would simply give the two accused men

an opportunity to steal more. So a strike was declared at 5 o'clock this morning. Some of the oider men were reluctant to obey the order, but were coaxed and pleaded with until they returned nome. Not a street car wheel has moved here to-day, and the company will make no effort to start its cars until Thursday. This afternoon the strikers sent a note to Mr. Silliman offering to refer the matter to Bishop Hoban to arbitrate. This is the same offer that the men rejected when made by Mr. Silliman yesterday. He is angry now over the strike and is anxious to wise out the union so if it not expected. BAIADO ... \$20,338,135 SECOND QUARTERLY DIVIDEND ON STOCK, DE \$20,338,135 Raiance applicable to surplus or new construction as the Board of Directors may decide at end of year.

The names of Charles M. Schwab, President, and of E. Shearson, Comptroller, were appended One of the features that

made to-day to select a fifth man on the board of arbitration to settle pending dif-ferences failed. The men say the company is having a man at work among the em-ployees securing their names to desert the union. President Riggs of the company, has given notice that after January next the present arbitration arrangement will not be effective, and that in the present difnot be effective, and that in the present dif-ferences there is nothing to arbitrate, except a few minor points and that the company has nothing to do with the move-ment of the men to give up the union. The company officials charge that since the union was established the discipline and order among the employees has much deteriorated and that a new order of things is necessary. The employees rejected a dozen names of leading citizens as the fifth arbitrator.

Advance of Wages for Elevated Road Hands

in Chicago Strike Will Go On. CHICAGO, Oct. 1.-Employees of the South Side elevated railroad in all branches of the train service to-day secured an increase in their wages of 10 per cent and hat the issuance of the new schedule is not to be construed as a surrender to the terms

of the strikers, for the matter was under consideration, they say, before any demand was made.

Leaders of the strikers declared that the new wage schedule would have no effect upon the outcome of the conflict. They admit that the new scale of wages is satisfactory to them, but say that the fight will now be made upon the question of unionism. The trains on the South Side railroad were running nearly on schedule railroad were running nearly on schedule time to-day and the officials expressed confidence that no more trouble would be experienced. They declared that they have almost all the men they need and that few places are left for returning strikers.

Santiago Yglosias, a labor leader from Porto Rico, who has been in New York several times to get points about organizing the working people of Porto Rico. has been sent back to the island by the American Federation of Labor to form unions there.

Arranging Plough Trust Details . CHICAGO, Oct. 1 .- Details of the organiration and operation of the Plough Trust which was incorporated recently under the laws of New Jersey, with a capital stock of \$100,000,000, were discussed by the stockholders at a meeting to-day at the Auditorium Hotel. The meeting was held behind closed doors and the business transacted was not made public. The combination will be known as the American Plough Company. It embraces the twenty-three large

plough manufacturers of the country.

The special authority eiven by the Secetary of the Treasury to the Assistant Treasurer here to buy Government bonds with-out referring the offers to the Department expired with the month of September special arrangement was made with the view of affording speedy relief to the money market. The last bonds bought under this murket. The last bonds bought under this arrangement were bought yesterday and amounted to about \$600,000.

Directors of the Scaboard Air Line Railroad Company, in this city, yesterday demed
a report from Norfol) that E. St. John was
to succeed John Skelton Williams as Presideal.

in railroad circles here that the Pennsylvania Company is to spend \$10,000,000 to parallel the Reading Company in building a line in the Lebanon Valley from here to Harrieburg.

FALL RIVER LABOR TROUBLES. Mr. Borden's Wage Advance Lears to

ds in the Other Mills

FALL RIVER, Mass., Oct. 1.—The city is beset with labor troubles once more and a strike of cotton operatives may begin on next Monday. Following the announce-ment that M. C. D. Borden had given to his help an increase of 5 per cent and that the Bourne mill had taken similar action the Textile Council demanded of the manufacturers a raise of the same amount. The Executive Committee of the Manufacturers' Association met to-day and discussed the situation. At the end of the session the secretary sent the following communication to the secretary of the Textile Council:

I am instructed to inform you that your request for an advance of 5 per cent. Cannot be entertained. The market conditions do not warrant the advance asked for. The present margin figured on the basis agreed to by your committee and the manufacturers, is now 66.94 cents. Had the manufacturers accepted the sliding scale of wages proposed by your organization which you were anxious to have adopted, but which they considered so unfair that they were compelled to reject it, wages would now be based on 18 cents for weaving. The question of margin cannot be eliminated from the wage schedule, nor can the exceptional conditions Association met to-day and discussed the dule, nor can the exceptional conditions under which one or two corporations are situated be accepted as sufficient grounds on which to grant an advance."

on which to grant an advance."

This expresses the sentiment of the manufacturers, who virtually admit that M. C. D. Borden can turn out cloth cheaper than the other mills of the city. The Textile Council will meet on Friday night and will adopt a resolution to be presented at meetings of all unions recommending a strike. The unions are as determined to get the advance as they were to resist a reduction a few weeks ago, so that in a reduction a few weeks ago, so that in view of the attitude of the manufacturers strike seems probable.

STRIKE AT THE CORNELL DAM. tonecutters Demand the Nine-Hour Day 700 Men Are Idle.

CROTON LANDING, Oct. 1.-Work on the new Cornell dam here has been stopped. and 700 men, comprising the stonecutters, marons and day laborers, are out of work, as a result of a strike begun by 150 stonecutters who were working in the quarries near Peekskill. The stonecutters in the quarry struck because they wanted a nine-hour day, with the same wages which they had been receiving for ten hours' work.

When the news of the strike came to the dam the stonecutters there decided to go out also. This stopped all work at the dam. Throughout the day there was no disturbance, and it is believed here that there will hardly be a repetition of the 1900 strike, when the Seventh Regiment and Squadron A and other organizations were called out to quell the disturbances. cutters who were working in the quarries

INTERCOLLEGIATE TENNIS. Annual Tournament Begins on Ground

of Merion Cricket Club. PRILADELPRIA. Oct. 1 - Under the mosanual tournament of the Intercollegiate Lawn Tennis Association to decide the cham-pionship in singles and doubles was commenced to-day on the grounds of the Merion Cricket Club. All of the contests played in ingles were most spirited, the last set be-ween Roche, Harvard, and Colket Pennylvania, being particularly so It was secessary to play thirteen games in the set sefore the former proved victorious. The ets between Plimpton, Amherst, who is hampion of the New England Intercollegiate Association, and Galpin, Yale, were very exciting, the former winning a splendid exciting, the former winning a splendid upbill game.

In the doubles interest was centred upon the teams representing Harvard and Princeton. F. B. Alexander, who, with E. D. Little for a partner, won the championship last year for Frinceton, had for a partner to-day a P. Ogden. Their playing at times was brilliant, but they were unable to withstand the superior team work of their opponents. The sets between Plunmer and Russell, Yale, and Shafer and Wright, Princeton, were a magnificent struggle. Yale showed its proverbial grit and pulled out a victory Summaries.

Singles Preliminary round J. A. Roche, Harvard, best M. B. Colket, Pennsylvania, 6-3, 13-11; L. E. Mahan, Columbia, best E. W. Leonard, Harvard, 5-7, 7-5, 6-4, T. B. Pilmpton, Ambers, best H. C. Calpin, Yale, 6-2, 10-12, 7-5, H. A. Pilmmer, Yale, best W. S. Warland, Harvard, 6-2, 6-4, M. Oyden, Princeton, best E. W. by default.

Doubles—Blagdin and Roche, Harvard, beat Alexander and Ogden, Princeton, 6. 2, 6.—1; Plummer and Russell, Vale, beat Schafer and Wright, Princeton, 6. 4, 1. 6, 6.—4; Galpin and P. K. Condiet, Yale, beat Wood and Colket, Pennsylvania, 9.—7, 6.—4.

BOWLING.

Orientals Defeat Mohawks and Rosedales in the Opening Columbia League Series. A large crowd witnessed the opening series of games

in the Columbia League tourisms.

FIRST GAME.

Mohawk—Kirby, 188; Cordes, 166; Smith, 168; Roeschlau, 133; Dohn, 181; Total, 783.

Oriental—Oesa, 176; Forsyth, 186; Kulse, 165; Mejer, 196; Stein, 166; Total, 549.

Mohawk—Kirby, 180; Cordes, 163; Smith, 168; Roeschlau, 222; Dohn, 181; Total, 914.

Roeschlau, 222; Dohn, 181; Total, 914.

Roeschlau, 222; Dohn, 181; Total, 914.

Roeschlau, 224; Bellmer, 198; Total, 944.

Oriental—Oesa, 175; Forsyth, 140; Kulse, 118; Meior, 212; Stein, 182; Total, 827, Itosedale—Kessler, 141; Habenfeld, 131; Mesloh, 155; Buchholz, 158; Bellmer, 175; Total, 760. Two difficult spares, 6, 7, 10, by Amann, and 4, 10, by Shiman, evoked loud applause in the Amerian National tournament games last night. The

Pirest Game.

Phoenix—Smith, 196, Boirath, 136; Young, 182;
Haviland, 198; Diederick, 155, Total, 867,
Fidelia—Rotheruel, 202; Schultz, 171; Koster,
143; Foege, 223; Amann, 194, Total, 935,
SECOND GAME.

Phoenix—Smith, 220; Boirath, 189; Young, 221;
Haviland, 184; Diederick, 168, Total, 982,
Empire—Mische, 207; Stoff, 193; Williamson, 187;
Schmidt, 199; Shiman, 192, Total, 948,
Fidelia—Rothermel, 170; Schultz, 220; Koster,
170; Foege, 177; Amann, 136, Total, 573,
Empire—Mische, 175; Stoff, 164; Williamson,
148; Schmidt, 129; Shiman, 178, Total, 794.

148. Schmidt, 129; Shiman, 178. Total, 794.

The Long Island Association of Cycling Clubs began its annual tournament last night on Thum & Ehler's Palace alleys, Brooklyn. The scores PHRNT GAME.

Warren W.—Claus, 146. Hardenbergh, 165; Williams, 168; Hatten, 145; Hempstead, 177. Total, 801. Greater New York W. Ehler, 141. C. Heuer, 90; Smith, 145; Steinberg, 144 Grote, 145. Total, 665. Second Greater New York W. Ehler, 174; A. Heuer, 153; Smith, 112; Steinberg, 149; Grote, 166. Total, 754. Mutual W.—Cring, 111; Rothmann, 150; Luz, 154; Wuerth, 162; Gifford, 137. Total, 634. THURD GAME.

Mutual W.—Cring, 166, Rothmann, 148; Luz, 124; Wuerth, 162; Gifford, 152. Total, 653. Warren W.—Claus, 158; Hardenbergh, 166, Faubel, 200; Hatten, 156; Hempstead, 146. Total, 528.

The Prosperity bowlers distinguished themselves. The Prosperity bowlers distinguished themselves in the Grand Central tournament of Brooklyn last night, scoring 1,016 in the second game and 847 in the third. Phil Wolf averaged 216. The scores: FIRST GAME.

Grand Central-Rempie, 204, Holden, 131; Wallace, 172; Meyer, 180, Jackson, 170. Total, 837. Fraser—Hayden, 180. Mekinney, 148. Smith, 142; Woolley, 141; Chaimers, 184. Total, 775.

SECOND GAME.

Fraser—Hayden, 176. McKinney, 132; Smith, 142; Woolley, 154. Chaimers, 192. Total, 776.

Prosperity—Albert, 208, Gutman, 187, Brachhold, 188; Sohl, 211; P. Wolf, 222. Total, 1,016.

Prosperity—Albert, 208, Gutman, 187, Brachhold, 188; Sohl, 211; P. Wolf, 211. Total, 947.

Grand Central-Rempie, 136; Holden, 166; Wallace, 161; Meyer, 146; Jackson, 144. Total, 746.

High Individual scores marked last night's series of games in the Friendship tournament of Brooklyn, Langenberg of the Atlantics leading with 232. The scores:

PRINT GAME.

Lavingher Wolf, 172, Hertroe, 177, Kinkel, 181;

Langenberg of the Atlantics leading with 233. The scores.

PIRST GAME.
Invincible—Woll, 172, Hertrog. 177; Kinhel, 181, Dumas, 182; Morres, 130. Total, 861.
Atlantic—Docraph, 162; Hamche, 130; Hemminger, 218; Lau, 167; Altenberg, 153. Total, 843.

Atlantic—Docraph, 167; Hamche, 179; Hemminger, 177; Laux, 182; Langenberg, 233. Total, 843.

Annex—Theisen, 183, Wylle, 180; Porrest, 166, Williams, 183, Hill, 183. Total, 843.

Annex—Theisen, 164, Wylle, 155; Forrest, 178, Williams, 180; Hill, 143. Total, 840.

Invincible—Woll, 200; Hertrog, 176; Kinkel, 207; Dumas, 147; Morris, 200. Total, 830.

in Real Estate. For Saie or To Let, it will be to your advantage to use THE SUN'S advertising columns, which is unquestionably the best medium through which to reach those living in this community. Esquests for rates will meet with prompt response. Write THE SUN, telephone 1232 Madison Buars, or send to any advertising agency. Adv.

A SLOW TRACK.

"Gipsey" Haight, the Old Campaigner, Drives Ned H. Woodnut to Victory in the 2:35 Class for Trotters—Sir Arthur Wins the Match Race for \$1,000 Stake.

The Westchester Fair opened yesterday with a good attendance for a first day, considering that the racing programme was light and no horse show classes were judged. There was the usual number of vendors, sideshows and fortune tellers, which divided attention with the big pumpkins, fine wooled sheep, fat hogs, mild-eyed cows and the two very tame races. The track was slow, not having been used for nearly a year. In fact, Secretary Long said he had cut a crop of hay off of it this year, so it could hardly be expected to be lightening fast. The buildings on the grounds have done service so long that they look faded and tired. The fences are staggering with the weight of years, and only the clean, white curvases of the shows and vendors relieve the deressing effect of the ancient structures.

The managers of the horse show, with more enterprise, have made the infield, where the heavy harness horses are judged. look attractive. The inside track has been carefully attended to, the field cleaned and made neat as a pin, and the little house used by them whitened and made pleasant to look upon. While the horse show and the fair are held at the same time, they are under

There were only two harness races vester day, the 2.35 trot and a match race. The lat-ter was made up between Dan Maloney and William Deveson, or White Plains, and Arthur Bushel of Tarrytown. The match was made some time ago for \$250 a side and when it was found that the 2:14 pace did not have enough entries to make a race, the fair association offered to add \$250 to the stakes, if they would fill that gap in the programme It was the only bit of racing of the day. In the first heat Maloney took it easy with his black gelding. Sir Arthur, the heat being won by Mr. Deveson's gray gelding Allie, The contest was between those two in each succeeding heat. The gray tried hard but did not have speed enough to make Maloney uneasy, although he did not win any heat by more than a length.

The first race, the 2:35 trot, was an easy victory for Ed Long's Ned H. Woodhut, driven by the old-time campaigner, "Gipsey" Haight. He won in straight heats by several lengths each time and appeared able to distance the field if he had so desired. Summaries: was made some time ago for \$250 a side and

different control. The show will begin to

2.35 class, trotting: purse \$250.

Ned H Woodnut, b. g., by Holly Woodnut (Haight).

Spryhtey, br. g. (Morgan).

Cole Litret, bik. c. (Allem).

Monte Rose, b. m. (Pisher).

Lady Toson, gt. m. (Conover).

Time = 2.32 \(\), 2.26 \(\), 2.30. Match race; stakes \$1,000.
Sit Arthur, b. g. (D. W. Maloney).
Allie, gr. g. (W. Leveson.
Sit Arthur Wilkes, b. g. (A. Bushel).
Time 2215, 221, 219, 2235; The haf-mile running race was won by Thomas P Ogie's coestnut gelding Path-finder.

THE ABBOT BEHIND RECORD. Former Champion Trots in 2:04 3-4 on

the Terre Haute Track. TERRE HAUTE, Oct. 1 -Ed Geers said this perfect to make a new world's record, where was greatly disappointed when the mile to-day was recorded at 2:04%. The horse was right, the track was right, all the cenditions were favorable except that the indefinable conditions of the atmosphere disqualifies a horse as well as the man from exerting himself to best possible results. The class races were won in easy fashion, although Shadow Chimes was a prohibited favorite against Auduben Boy in the 2:13 pace. Summaries.

Time 213, 208 5, 211 5, 212
2:09 class, pacing, purse \$1,000 unfinished).
Little Scuaw, bik m., by Kemannee (Ervin).
Mitton S., b. s. (Powell).
Carnot, bik s. (Wickershaw).
My Cholce, ch. s. (Burus)
Tom Nolan, b. g. (Nickots)
Raymond M., bik s. (Johnson).
Time 2:07, 2:00 1. 2.18 class, pacing purse \$5,000 Audubon Boy, ch. g., by J. J. Audubon (Hudson) Salem, blk. g. (Fisher) Salem, bik g (Fisher)
Shadow Chimes, br. s. (Geers)
C. F. W. bik s. (Higher)
Lir. Monical, b. h. (McAllister)
Mito S. ch. g. (Williams)
Commutation, b. s. (Longacre)
Frank McKinney, bik s. (Mabrey) Commutation, b. s. (Massey)
Prank McKinney, bik. s. (Mastrey)
John H. b. g. (Mclowell)
Tertimen, b. s. (Pieming)
Time 2074, 207, 2064

Time 2.07 1, 2.07, 2.06 1,
2.07 class, pacing purse \$1,000 ((wo heats on Sept. 30);
Haroid H., b. s., by Roadmaster (Proctor) 1
Dumont W. b. g. (Ernest) 3
The Blashop, b. g. (Berry) 5
The Admiral, b. s. (Hayne) 4
Major Muscovite, br. s. (McMahon) 7
Tom Ogden, b. g. (Carnathan) 5
Dunton Ohso, blk. s. (Higtee) 9
Martha Marshali, b. m. (McDowell) 6
Time 2.04 1, 2.06 1, 2.04.

First Day of the Island Park Meet. ALBANY, Oct. 1 - There were three events at the opening to-day of the fall meet of the Island Park Driving Association. Sum-

maries:

2:30 class, pacing:
Jessie h, b, m, by Hai Braden (McDonald).1
Tommy W, ch. g. (Warner). b
Mable D, ch. m. (Gable). 2
Queen Louise, b. m. (Beaver). 3
B, and M, ch. g. (O'Brien). 4
Fleet, br. m. (O'Connell). 5
Starlight Chimes, b. g. (Titlow). 6
Easter, ch. g. (Dudley). 7
Time. 2:15', 2:16', 2:17', 2:14 class, pacing: Brown Heels, b. g., by Brown Hal (Dodge).,1 Brown Heels, b. g., by Brown Hall (Dodge), 1
Ziska, b. m. (Miller). 6
Harry Hotspur, b. g. (Devlin). 6
Wyreka, b. s. (Baker). 2
Syreka, b. s. (Baker). 7
Sam Hill, Jr. bik. s. (Claner). 3
Gryanna, bik. m. (Titlow). 4
Morley King, b. g. (L. McDonald). 5
Time 2:14', 2:15', 2:15', 2:15', 2:35 class, trotting: David Harum, b. g., by Almont Wilkes (Rath-David Harum, b. g., by Almont Will-bun.
Jennie Glennan, b. m. (Ferrin)
Yedda, br. m. (Raymond)
Oxford Chimes, bk. g. (Lodge)
Jamberta, b. m. (Barrett)
William R. ch. g. (Gable)
Edgemont, ch. g. (J. McDonald)
Coquina, ch. m. (Titlow)
Miss Jerome, b. m. (O'Connell)
71me—2.28, 2:16°4, 2:20

The Sulky Winners at Brockton. BROCKTON, Oct 1 - The Brockton Fair opened to-day with 10,000 persons on the ground. The 2-50 trot had so many entries that it had to be raced in divisions. Sum-

Time 222 k, 234, 227 k, 228 k,

LANCASTER, Oct. 1 - The races were the feature of the annual Pennsylvania State Fair this afternoon, and were witnessed by a big crowd. In the 2:20 class, Deltha was drawn after throwing her driver and taking a wild riunge around the track but withou colliding with the other horses. Summarion

WESTCHESTER FAIR OPENS.

| Company of the control o

CRESCEUS-HERR MATCH OFF. Awson Wants to Match Boraima Again Lord Derby.

Lexinorox, Oct. 1.—The \$7,500 match race between Cresceus and Charley Herr. which was programmed for the second day at the coming meeting of the Kentucky Troting Horse Breeders' Association, has been declared off by the directors of that organization of the torganization of the tor cation. In a statement issued to-night Sec-retary Wilson says Thomas W. Lawson, who offered the purse, had wired that he would decline to give the purse now that the horses appeared so unevenly matched. He further says that Mr. Lawson was reluctant in withof either the association or Mr. Lawson to offer the public a race which promised no

been put in the place of the match declared off.

Through Secretary Wilson here to-night, Thomas W. Lawson has issued a challenge to Harry Hamlin for a match race with Lord Derby here, to come off five days after the Boralma-The Abbot race. The match to be for \$5,000 a side, the winner to take all, and Mr. Lawson has stated that if he wins he will donate the amount to charities at Lexington. It is believed Mr. Hamlin will accept the terms, which appear bold after the two defeats of the Lawson horse by Lord Derby. Secretary Wilson proposes to Mr. Hamlin that, should The Abbot: for any reason fail to meet Boralma, the race be held on the second day of the meeting, the association to give the \$10,000 it offers to add to the Boralma-The Abbot match.

Won in Straight Heats at the Interstate Fair TERNION, Oct 1.- The racing at the Interstate Fair here to-day was as good as has ever been seen in this city. There were 22,000 persons present. The track was in excellent shape, with the exception of being triffe hard. Good time was made. There were three races on the programme, two were three races on the programme, two
of which were \$1,000 stake events, and the
other a \$500 purse class race. The field in
each contained fast horses. The best racing
was brought out in the Revolution Stake
for pacers, which was wen by Berdma in
straight heats. Summaries:

Time 2:16', 2:16

Sam Patch Runs Away but Driver Gets on His Back and Stops Him.

BALTIMORE, Oct. 1 -Only a fair crowd was present at the Pimlico track to-day, the populace evidently waiting for Thursday when Crescens will try to break his record perfect to make a new world's record, where a year ago this week The Abbot went in 2.03%. Castablishing then the world's record. He was greatly disappointed when the mile to-day was recorded at 2.04%. The horse was right, the track was right, all the conditions were favorable except that the indefinable conditions of the atmosphere discussions a horse as well as the man from

2:19 class, pacing, purse 5500:
Alvina Wilkes, b. m., by Constantine
(Abrams)

General Agent, ch. g. (McGriff)

Frank Keenan, gr. g. (Carter and Fisher)

Walter F. b. g. (Sage)
Othoail, b. g. (Biggs)

Golden Red, ch. g. (Parberty)

Golden Red, ch. g. (Parberty)

Golden Red, ch. g. (Parberty)

Heddle Russell, ch. m. (Lane)

Time—2:12 k., 2:10, 2:11, 2:12 k.

2:20 class, trotting stake \$1,000: general Johnson, blk g
General Johnson, blk g
Bettine, b m (Ryan)

Roommate b g (Rites)

Roommate b g (Rites)

Guperior Lilly ch m (Kennedy)

dis

Huliman, b g (Bass)

Time 2 14 %, 2 16 %, 2 15 %, 2 17, 2 18 %,

Time 2 14 %, 2 16 %, 2 16 %, 2 Medium (Oberhaus) ohnson, blk g

2:23 class, trotting purse \$500 (unf niched): Francis Medium, by Prince Medium (Ot Sam Patch, by Salem (Nottinghem) Aladdin, ch. g. (Medriff) Hart B., ch. g. (Lake) Katy, br. (Smith) Eagle Boy, ro. s. (Carter) (f. O. W. b. g. (Wilson) Red Light Maid, ch. m. (Bess) Fairview Chimes, br. g. (Kinney) Farn Artus, ch. m. (Rogers) Myra, bik. m. (Biggs) Honesty, ch. g. (Clarke) Time—2:234, 2:204.

Bobby Dobbs and Herman Miller Fight

a Draw. The battle between Bobby Dobbs, the Miller of Baltimore was decided before the Knickerborker A. C in Baltimore on Monday night. The limit was twenty rounds at 138 pounds and the fight lasted the distance. The verdict was a draw.

MARINE INTELLIGENCE.

MINIATURE ALMANAC -- THIS DAY. Sun rises..... 5:57 | Sun sets . 5:41 | Moon rises . 9:06 HIGH WATER-THIS DAY. ndy Hook .10:26 | Gov. I'd .10:54 | Hell Gate... 12 50 Arrived-TURSDAY, Oct. 1.

Sa Mesaba, Lowe, London, Sept. 19.
Sa Manhelm, Ackelman, Hotterdam, Sept. 14.
Sa Ethiyala, Lums are, Glagow, Sept. 19.
Sa Alexandra, Thomsen, Stetlin, Sept. 7.
Sa Riverdair, Hay, Shields, Sept. 12.
Sa Santiago de Cuba, Lambert, Santa Cruz, Sept. Sa Santiago de Cuba, Lambert, Santa Cruz, Sept. 28.

Sa Mexico, Sievena, Havana, Sept. 28.

Sa Buenos Aires, Amezaga, Vera Cruz, Sept. 24.

Sa Grecian Prince, Curtis, Santos, Aug. 30.

Sa Romney, Treneman, Montevideo, Aug. 22.

Sa Evelyn, Ritch, Pensacola, Sept. 21.

Sa Taliahassee, Askins, Savannah, Sept. 28.

Sa Goorge W. Chyde, Staples, Georgetown, Sept. 26.

Sa El Rio, Mason, New Orlean, Sept. 26.

Sa Lampasaa, Barstow, Galveston, Sept. 28.

Sa Richmond, Catherine, Newport News, Sept. 30.

Sa Hamilton, Boaz, Norfolk, Sept. 30.

Sa Harry Luckenbach, Peck, Brunswick, Sept. 26.

ARRIVED OUT. Sa Pennsylvania, from New York, at Cherbourg. Ss Potsdam from New York at Hotterdam. Sa Graf Waldersee from Plymouth, for New York.

OUTGOING STRANSHIPS Philadelphia Southampt'n 6 30 A M
Pritslan Antwerp 10 00 A M
Eaperanza, Havana 12 00 M
Comal, Galveston
Guyandotte, Norfolk
Mount Vernon, Hayti 9 30 A M
Roralma, St. Thomas 12 30 P M Sail To-morrow. La Champagne, Havre
Deutschland, Hamburg
Grosser, Kurfuerst, Bremen
Prins Willem IV Hayti
Ydun, Santiago
El Valle, New Orieans
Hamilton, Norfolk Sail Friday, Oct. 4.

Colorado, Brunswick Ampahoe, Charleston Matanzas, Tampico Hamilton, Norfolk INCOMING STEAMSBIPS | Lancaster, Oct. 1 - The races were the | Distribution | Distribu Due Friday, Oct. 4. Hamburg Plymenth Napien Gibralia?

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Ottice Juruiture. DESKS

ALBANY, Oct. 1 - The Westchester Traction Company was incorporated to-day to build an electric road five miles long connecting the Ossining Electric Railway at the Methodist campuseting ground with Pleasantville. The capital is 200,500